

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q95810

Kazuhito SATO, et al.

Appln. No.: 10/585,109

Group Art Unit: 1793

Confirmation No.: 5098

Examiner: Serena L HANOR

Filed: January 18, 2007

For: HYDROCARBON-PRODUCING CATALYST, PROCESS FOR PRODUCING THE SAME,
AND PROCESS FOR PRODUCING HYDROCARBONS USING THE CATALYST

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore Applicant is filing concurrently herewith a Statement Under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign

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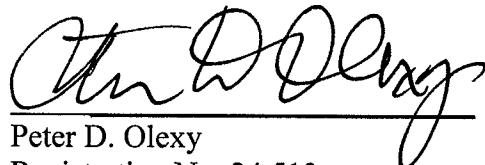
patent office in a counterpart application (Japanese Patent Application No. 2004-047828 dated September 24, 2008 and Japanese Patent Application No. Patent Application No. 2004-047830 dated September 24, 2008) together with an English-language translation, of at least that portion of the Communication indicating the degree of relevance found by the foreign patent office.

Also, it is noted that the 2 references JP-A-2003-003174 and Non Patent Literature L. FAN et al.. Supercritical Phase Fischer-Tropsch Synthesis: Catalyst Pore-Size Effect, AIChE Journal, 1992, Vol. 38, No. 10, pages 1639 to 1648, full text cited in the Japanese Office Action (Patent Application No. 2004-047830) were previously listed on the PTO/SB/08 form submitted with the Information Disclosure Statement filed in the U.S. Patent and Trademark Office on January 18, 2007, along with copies of the foreign references.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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WASHINGTON DC SUGHRUE/265550

65565
CUSTOMER NUMBER

Date: December 23, 2008

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STATEMENT UNDER 37 C.F.R. § 1.97(e)

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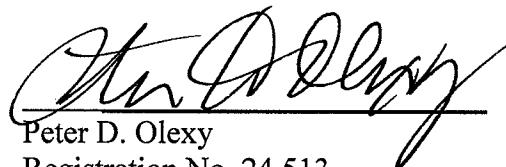
Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,



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